

March 26, 2010

Jennifer J. Johnson, Secretary
Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue,
Washington, DC 20551

RE: Docket No. R-1343

Dear Ms. Johnson,

I appreciate the opportunity to comment on your proposed clarifications to the Regulation E revisions announced November 17, 2009.

My comments are in relation to Section 17(b)(1)(iv) – Written Confirmation. It is my opinion that there is no solid reasoning behind delaying the implementation of a consumer's opt-in request and the corresponding charging of fees until the confirmation is sent. A financial institution following the regulation is required to send an opt-in notice, which we will do along with a cover letter explaining the change and our brochure detailing the different types of overdraft protection we offer. Between that mailing, information on the bank's website and information that will most likely be present in the media, I feel the consumer will be able to make a well informed decision that should be honored immediately upon receipt of their opt-in. Sending the confirmation along with procedures on how to revoke their opt-in should occur "promptly" or within a "reasonable timeframe" following the receipt of the opt-in.

Should you proceed with your proposal and require written confirmation be sent *prior* to opting the customer into the overdraft program, I would appreciate further definition of the term "sent". You mention in your proposal that you have an interest in providing consumers access to overdraft services "expeditiously when requested". The mail at our institution has a cutoff of 4 p.m. daily. If, for example, a customer calls in and requests to opt-in to the bank's program at 4:30 on a Friday, are we allowed to go ahead and opt them in and charge fees Friday evening if the confirmation is dropped in the outgoing mail but will not be "sent" until Monday?

Again, thank you for the opportunity to comment. I can be reached at with any questions.

Sincerely,

Diane Foltz